

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

GORDON C. REID	:	
	:	
v.	:	MISC. No. 06-44S
	:	
WARREN F. DOWALIBY,	:	
Superintendent, Strafford County	:	
Department of Corrections, et als.	:	

MEMORANDUM AND ORDER

Plaintiff, Gordon C. Reid, is a federal pretrial detainee placed at the Strafford County Department of Corrections (the “SCDOC”) in Dover, New Hampshire. On May 12, 2006, Plaintiff filed a Complaint against several employees of the SCDOC and the U.S. Marshal for the District of New Hampshire pursuant to 42 U.S.C. § 1983 challenging his conditions of confinement and claiming denial of access to law materials. He also filed a Motion to Proceed In Forma Pauperis (“IFP”) and a Motion for Temporary Restraining Order (“TRO”). His IFP Motion was granted by the District of New Hampshire and then this matter was transferred to the District of Rhode Island because of the recusal of all of the New Hampshire Judges.

On June 2, 2006, this Court ordered that the U.S. Marshal Service serve Defendants with a copy of Plaintiff’s Complaint and Temporary Restraining Order. See Document No. 12. The Marshal Service subsequently served the Defendants on or about June 5, 2006 and filed copies of the returns of service with the Court. See Document No. 15. Currently before the Court is Plaintiff’s Motion for Service of Process filed August 23, 2006. (Document No. 30). The Motion has been referred for determination. 28 U.S.C. § 636(b)(1)(A); LR Cv 72(a). In the Motion, Plaintiff states, “To date, to Plaintiff’s knowledge, nearly 90 days after the commencement of this action service of process has not been initiated.” See Document No. 30, ¶ 3. As noted, the Returns

of Service were filed with this Court in June, and each of the returns indicate that it was served on June 5, 2006. Therefore, service of process has been completed, and Plaintiff's Motion is DENIED as moot.

ENTER:

PER ORDER:

/s/ Lincoln D. Almond
LINCOLN D. ALMOND
United States Magistrate Judge
September 13, 2006

/s/ Jeannine Theall
Deputy Clerk